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JAN 5 2005

THE LAW OFFICES OF  
EDMOND A. DEFRANK20145 VIA MEDICI  
NORTHridge, CALIFORNIA 91328INTELLECTUAL PROPERTY  
LAW INCLUDING PATENTS,  
TRADEMARKS AND COPYRIGHTSTELEPHONE: (818) 885-1575  
FACSIMILE: (818) 885-5750

TO: USPTO/ Examiner D. Lastra, Group 3622  
FAX: (703) 872-9306  
TEL: (703) 306-5933  
FROM: Edmond DeFrank  
DATE: January 5, 2005  
RE: **RESPONSE UNDER 37 CFR 1.111**  
Serial No. 09/839,389  
Our Docket No. 10006967-1  
Entitled: **BACKGROUND ADVERTISING IN AN INTERNET  
ENVIRONMENT**  
Filed: April 20, 2001  
By: Daniel C. Castle  
Pages: 9 (NOT including cover sheet)

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Please find attached a response under 37 CFR 1.111 for the above matter.  
Also attached is a Transmittal Letter.

Thank you.



Edmond A. DeFrank

HEWLETT-PACKARD COMPANY  
Intellectual Property Administration  
P. O. Box 272400  
Fort Collins, Colorado 80527-2400

PATENT APPLICATION

ATTORNEY DOCKET NO. 10006967-1

IN THE  
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Daniel C. Castle

Confirmation No.: 2509

Application No.: 09/839,389

Examiner: D. Lastra

Filing Date: April 20, 2001

Group Art Unit: 3622

Title: BACKGROUND ADVERTISING IN AN INTERNET ENVIRONMENT

Mail Stop Amendment  
Commissioner For Patents  
PO Box 1450  
Alexandria, VA 22313-1450

## TRANSMITTAL LETTER FOR RESPONSE/AMENDMENT

Sir:

Transmitted herewith is/are the following in the above-identified application:

(X) Response/Amendment ( ) Petition to extend time to respond  
 ( ) New fee as calculated below ( ) Supplemental Declaration  
 (X) No additional fee  
 ( ) Other: \_\_\_\_\_ (fee \$ \_\_\_\_\_)

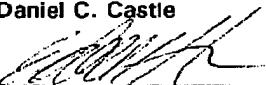
CLAIMS AS AMENDED BY OTHER THAN A SMALL ENTITY						
(1) FOR	(2) CLAIMS REMAINING AFTER AMENDMENT	(3) NUMBER EXTRA	(4) HIGHEST NUMBER PREVIOUSLY PAID FOR	(5) PRESENT EXTRA	(6) RATE	(7) ADDITIONAL FEES
TOTAL CLAIMS	22	MINUS	22	= 0	x \$50	\$ 0
INDEP. CLAIMS	5	MINUS	5	= 0	x \$200	\$ 0
[ ] FIRST PRESENTATION OF A MULTIPLE DEPENDENT CLAIM						+ \$360
EXTENSION FEE	1ST MONTH \$120.00	2ND MONTH \$450.00	3RD MONTH \$1020.00	4TH MONTH \$1590.00		\$ 0
OTHER FEES						\$
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ 0

Charge \$ 0 to Deposit Account 08-2025. At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16, 1.17, 1.19, 1.20 and 1.21. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

Daniel C. Castle

By



Edmond A. DeFrank

Attorney/Agent for Applicant(s)  
Reg. No. 37,814

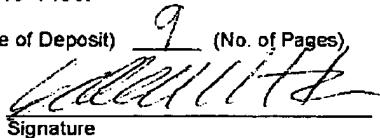
Date: Jan. 5, 2005

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JAN 05 2005

## CERTIFICATE OF TRANSMISSION

I hereby certify that this paper and every  
paper referred to therein as being facsimile  
transmitted to (703) 872-9306: Commissioner for Patents,  
P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: January 5, 2005 (Date of Deposit) 9 (No. of Pages)EDMOND A. DEFRANK  
By \_\_\_\_\_  
SignaturePATENT APPLICATION  
Attorney Docket No: 10006967-1

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Daniel C. Castle

Serial No.: 09/839,389

Group Art Unit: 3622

Filed: April 20, 2001

Examiner: D. Lastra

For: **BACKGROUND ADVERTISING IN AN INTERNET ENVIRONMENT**

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AMENDMENT UNDER 37 CFR 1.111

Hon. Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated October 5, 2004, please amend the  
above-identified application as follows:

**Amendments to the Claims** are reflected in the listing of the claims which begins on  
page 2 of this paper.

**Remarks/Arguments** begin on page 6 of this paper.